

**Notice of Allowability**

Application No.

10/766,831

Applicant(s)

DIMAS ET AL.

Examiner

Art Unit

Rhonda S. Peace

2874

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed 8/22/2005.
2.  The allowed claim(s) is/are 1-40.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

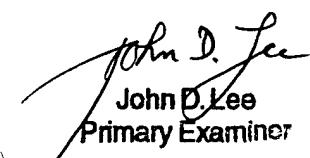
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review ( PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_.
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

  
John D. Lee  
Primary Examiner

## DETAILED ACTION

### ***Allowable Subject Matter***

Claims 1-40 are allowed.

The following is an examiner's statement of reasons for allowance: The most applicable prior art identified as Wojcik et al (US 5896483), as described in the examiner's previous office action, discloses a flexible liquid core light guide having a light source to provide an input light beam and lens means to focus light output from the liquid core waveguide into a well defined uniform beam spot. However, Wojcik et al does not disclose the means by which to *image non-uniformities present at or adjacent the outlet end of the lightguide away from the plane to which the uniform light beam is focused*, as described by the applicant in pages 12-15 of the applicant's amendment filed 8/22/2005. Common methods of compensating for non-uniformities within the prior art include using diffusers to diffuse the non-uniformities in numerous directions, elimination of non-uniformities with a filter, as well as averaging several light beams together with various means in order to minimize the effects of the non-uniformities present within the beams. The examiner recognizes this critical limitation (*providing means by which to displacing images of non-uniformities present at or adjacent the outlet end of the lightguide away from the plane to which the uniform light beam is focused*) present within amended independent claims 1, 26, 28, and 30, and believes the presence of this limitation causes the above-mentioned claims to be allowable over the prior art. As claims 2-25, 27, 29, and 31-40 are directly dependent upon the

independent claims 1, 26, 28, and 30, they inherit the critical limitation discussed above, and therefore are also allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wojcik et al (US 5896483), as described above, discloses a flexible liquid core light guide having a light source to provide an input light beam and lens means to focus light output from the liquid core waveguide into a well defined uniform beam spot. However, this prior art does not overcome all of the limitations of the applicant's invention, for the reasons discussed above.

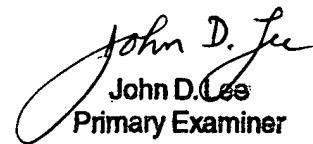
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda S. Peace whose telephone number is (571) 272-8580. The examiner can normally be reached on M-F (8-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272- 2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rhonda S. Peace  
Examiner  
Art Unit 2874



John D. Lee  
Primary Examiner